

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CRESTA CAPITAL STRATEGIES, LLC,

Plaintiff,

v.

APPROVED CASH ADVANCE CENTERS, LLC,

Defendant.

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) Index No. 08 CIV. 2399
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AFFIDAVIT OF JOHN R. ANDERSON

John R. Anderson, being duly sworn, deposes and states:

1. I served as Assistant Secretary of Approved Cash Advance Centers, LLC ("ACA") prior to its sale on December 3, 2007. I was advised as a result of the FRCP, Rule 26 conference, on June 13, 2008, of a settlement conference to be scheduled for June 30, 2008.
2. Greg Steele of McKenzie Management was to appear at the settlement conference on June 30, 2008 on behalf of ACA.
3. Greg Steele underwent surgery on June 20, 2008 but had a setback requiring surgery on June 27, 2008, and it became apparent that he would not be representing ACA at the settlement conference which was to occur the following Monday.
4. As the conference had been previously scheduled and since Mr. Steele obviously was unable to attend, I was asked to attend as a prior officer of ACA, and was given full authorization to act on behalf of ACA to seek to settle the claim in the settlement negotiations.
5. I have served as Assistant Secretary to ACA since the limited liability company was formed.

Respectfully submitted,

By: _____

John R. Anderson

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Sworn to and subscribed before me, this the 23rd day of July, 2008.

Bettye Alexander-Tansley
Notary Public

My Commission Expires:

4-20-2011



s/William T. Alt

Bar No. 001587
Attorney for Defendant
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Chattanooga, Tennessee 37405
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 23, 2008, I electronically filed the foregoing Affidavit of John R. Anderson with the United States District Court, Southern District of New York by using the CM/ECF system which will send a notice of electronic filing to the following: Westerman Ball Ederer Miller & Sharfstein, LLP, Jeffrey A. Miller, Esquire, 170 Old Country Road, Suite 400, Mineola, New York 11501. I further certify that I mailed the foregoing Affidavit of John R. Anderson document by First-Class mail to the following:

Westerman Ball Ederer Miller
& Sharfstein, LLP
Jeffrey A. Miller, Esq.
170 Old Country Road, Suite 400
Mineola, New York 11501